

**MINUTES FOR THE SEMINOLE COUNTY  
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION  
WEDNESDAY, AUGUST 2, 2006**

**Members present:** Ben Tucker, Matt Brown, Beth Hattaway, Walt Eismann, Dudley Bates, and Jason Brodeur

**Member absent:** Rob Wolf

**Also present:** Tony Walter, Planning Manager; Kathleen Furey-Tran, Assistant County Attorney; Tina Williamson, Principal Coordinator; Michael Rumer, Senior Planner; Benjamin Dunn, Senior Planner; April Boswell, Assistant Planning Manager; Alan Willis, Planner; and Candace Lindlaw-Hudson, Senior Staff Assistant.

The Chairman called the meeting to order at 7:00 P.M. He introduced the members present and then reviewed the manner in which the meeting was to be conducted and rules for voting.

**Commissioner Bates made a motion to accept the proof of publication.**

**Commissioner Eismann seconded the motion.**

**The motion passed unanimously.**

**Commissioner Hattaway made a motion to accept the minutes from the July meeting as submitted.**

**Commissioner Brown seconded the motion.**

**The motion passed unanimously.**

**A. Long Pond Subdivision PSP; Rockwell Developers Inc., applicant; approximately 51.44 acres; Preliminary Subdivision approval for a 48 Lot SFR Family Residence Subdivision zoned Planned Unit Development; located on the corner of Long Pond Road and Interstate 4.**

Brian Walker, Planner  
Commissioner Carey – District 5

Michael Rumer introduced the preliminary subdivision plan for the Long Pond PUD. This project was formerly know as Rockwell. The applicant is requesting a 48 lot single-family residential subdivision. The project site is 51.44 acres in size with a net buildable area of approximately 48.24 acres. This subdivision will have lots of 21,000 square feet, except for the lots on the west property line,

which will be 31.200 square feet in size. Plans do not indicate the paving of Long Pond Road. The subdivision will have Seminole County water and sanitary sewers. Reclaim water for irrigation is also available and will be hooked up. Staff recommendation is for approval, subject to the BCC approval of the Final Master Plan.

Commissioner Brown asked about the placement of noise abatement walls by I-4, which had been discussed and suggested by this board previously.

Tony Walter said that the walls had been passed as a recommendation to the BCC, but the wall had not been included.

Commissioner Brown noted that most of the houses are over 300 feet from I-4, but he did note the proximity of some lots to I-4 on the PSP.

**Commissioner Eismann made a motion to recommend approval of the PSP.**

**Commissioner Brodeur seconded the motion.**

**The motion passed 6 – 0.**

**B. Sproul Bible College PUD; Guy T. Rizzo, Applicant**; approximately 29.9 acres; Major Amendment to a PUD (Planned Unit Development); located on the south side of Wayside Drive, approximately 550 feet east of the intersection of Wayside Drive and Orange Boulevard. (Z2006-046)

Commissioner Carey – District 5  
Michael Rumer, Senior Planner

Michael Rumer stated that this item needs to be re-advertised due to technical issues. Staff is requesting that it be continued to the September 6 meeting.

**Commissioner Eismann made a motion to continue this item to the September 6 meeting.**

**Commissioner Bates seconded the motion.**

**The motion passed unanimously.**

**C. Seminole County Proportionate Share Ordinance**: Recent amendments to Florida's Growth Management legislation directed local governments to revise their Concurrency Management regulations to allow for "proportionate share" contributions from developers toward road improvements. The Proportionate Share Ordinance would allow a development to proceed when transportation service capacity is not yet available but the proposal is otherwise consistent with the Comprehensive Plan. Rather than delay construction until the needed road

improvement is completed or programmed, the developer would be permitted to contribute his or her fair share of the cost of that improvement.

Countywide  
Jeffrey Hopper, Senior Planner

Tony Walter stated that the ordinance currently has technical issues that need modification. Staff is requesting continuance to the September 6 meeting at which time it will be ready to be presented.

**Commissioner Eismann made a motion to continue this item to the September 6 meeting.**

**Commissioner Bates seconded the motion.**

**The motion passed 6 – 0.**

**D. 500 Faith Terrace / Maitland Audiology; P.A., Rob Wassum, P.E., applicant;**

.275± acres; Rezone from R-1AA (Single Family Residential District) to RP (Residential Professional District); located on the southwest corner of Faith Terrace and S. Maitland Avenue.  
(Z2006-34)

Commissioner Henley – District 4  
Benjamin Dunn, Senior Planner

Benjamin Dunn introduced the request to convert an existing single-family dwelling into an audiology office. The future land use designation on this property is Office, which allows RP zoning. Staff recommendation is for approval of the request, subject to the site plan and development order.

Rob Wassum stated that the trend of development in the area is to office. The audiology group does most of their work in the field, with limited office use.

Commissioner Brown asked about the parking being so close to the road. What are the setbacks for this project?

Mr. Dunn said that the building met setback requirements.

**Commissioner Hattaway made a motion to recommend approval.**

**Commissioner Eismann seconded the motion.**

**The motion passed unanimously, 6 – 0.**

**E. NW Oregon PUD Major Amendment; CRF-Sanford, LLC., applicant; 72.90 ± acres; Major Amendment to a PUD (Planned Unit Development) Final Master Plan; located on the northwest corner of the intersection of SR 46, and N. Oregon Street. (Z2006-036)**

Commissioner Carey – District 5  
Tina Williamson, Principal Coordinator

Tina Williamson introduced the request for a major amendment to the NW Oregon PUD. Ms. Williamson stated that under the original PUD Final Master Plan approved in 2001, Lot 1 was designated for commercial/retail uses with a maximum building area of 200,000 square feet and a maximum single building area of 80,000 square feet. In 2004, the PUD was amended and Lot 1 was split into Lots 1A and 1B. Lot 1A was approved for a 75,000 square foot auto dealership with repair center and Lot 1B was approved for 154 townhouse units. Under this proposed amendment, the applicant is requesting that the auto dealership be eliminated and Lot 1A be divided into three lots with a total of 58,000 square feet of building area and a maximum single building area of 26,000 square feet. Breakdown of the lots would be as follows: Lot 1A: 38,000 square feet, with a maximum single building area of 26,000 square feet; Outparcel 1A will have 10,000 square feet, and Outparcel 1B will also have 10,000 square feet.

Ms. Williamson stated that uses on the lots will be all permitted and conditional uses described in the C-2 Retail Commercial District, except Laundromats, video and pinball machine arcades, clinics, stand-alone bars and lounges, drive-in theaters, flea markets (open air), auto repair, paint and body shops, hospitals and nursing homes, personal and mini-storage facilities and bill boards. Ms. Williamson said that these uses are the same as the uses allowed on the already existing commercial Lots 2 – 4 that were created as part of the amendment that was approved at the May 23, 2006 Board of County Commissioners meeting. Staff recommends approval of the PUD Major Amendment, Third Revised and Restated Developer's Commitment Agreement and Revised Final Master Plan subject to the Third Revised and Restated Developer's Commitment Agreement.

Peter Cabrera said that he lives adjacent to the site of the application and was concerned about the exact location of the amendment.

Michael Rumer showed the map from the public notice which had an arrow on it, indicating an area close to the Dunwoody Commons. That had caused confusion.

There were no further comments or questions.

**Commissioner Eismann made a motion to recommend approval.**

**Commissioner Brown seconded the motion.**

**The motion passed 6 - 0.**

**F. Wekiva PUD Major Amendment; Brian Davis, applicant; 4.96± acres;** Major Amendment to a PUD (Planned Unit Development) Final Master Plan; located at 200 Hunt Club Blvd., south of the existing clubhouse. (Z2006-32)

Commissioner Van Der Weide – District 3  
Tina Williamson, Principal Coordinator

Tina Williamson introduced the application for a major amendment to the Wekiva PUD. The property is located at 200 Hunt Club Boulevard, south of the existing clubhouse. The applicant is requesting to put 48 townhouse units on land designated currently as open space on the Wekiva Golf Course. This will have a net density of 12.3 dwelling units per net buildable acre. The original PUD was approved in 1976 and contains 1022 acres of which 25.5 are required to be common usable open space. At this time there are 260.5 acres of open space. With the removal of the 4.96 acres there would still be a proper minimum amount of open space for the PUD. The Wekiva PUD is approved for 3137 dwelling units. If this PUD amendment is approved, the total number of dwelling units would be 3185. Staff reviewed the request to see if it was compatible with surrounding development. There are 17 tracts designated for single family development. The density of these tracts range from 2.6 to 12 dwelling units per acre. There are 8 tracts approved at a density of 12 dwelling units per acre. These are Tracts D, E, G, I, K, L, M, and O. Tracts L, M, and O are located on the same side of Hunt Club Boulevard as the proposed project. There are two townhome and condominium communities immediately adjacent to the existing clubhouse entrance driveway: Wekiva Country Club Villas and Wekiva Villas on the Green. Across Hunt Club Boulevard is Wekiva Hunt Club Condominiums. There are single family lots that are an average of 14,000 square feet to the west across the 18<sup>th</sup> fairway and single family lots averaging 11,200 square feet across the 16<sup>th</sup> fairway to the south. Based on these development trends and all of the tracts within the Wekiva PUD as a whole, staff has concluded that there is a mix of housing types and densities in the immediate area and that the proposed townhomes are compatible. The will be separated from the existing larger lots to the west and south by the golf course and the only access to the project will be from the existing golf course clubhouse driveway, which passes between two existing higher density developments and connects to Hunt Club Boulevard. Across Hunt Club Boulevard from the entrance way are a neighborhood commercial center and a two-story office complex. Staff recommends approval of the request subject to addendum #15 to the Wekiva PUD Developer's Commitment and Final Master Plan. Ms. Williamson referred to several e-mails and faxes that had been received concerning the application which were given to the commissioners prior to the meeting.

Chairman Tucker asked about Tract M.

Ms. Williamson stated that Tract M was approved for 12 dwelling units per acre, but not developed that way.

Commissioner Tucker asked how Tracts L and O were developed.

Ms. Williamson said they are two condominium communities.

Commissioner Tucker asked if there were any other tracts that had been approved as multi-family and developed as single family.

Ms. Williamson pointed out Tract D which was approved for 12 dwelling units per acre and developed as single family. Tract M is the existing golf club clubhouse and the single family houses on Havilland Drive. Tract L is a higher density development adjacent to the clubhouse.

Brian Davis said that his firm is comprised of planners and landscape architects for this project. He stated that he agreed that the project is compatible with the rest of the Wekiva Golf Course community. He introduced Bob Della Russo who owns the golf course. Mark Sweeney, Civil Engineer of the project, was also introduced. Mr. Davis showed a conceptual drawing of the proposed placement of the buildings within the golf course. He said it was his intention to save as many of the existing trees as possible. There are two different building types based on unit numbers. The end building is a six unit building, with the others being 8 units each. They are two story buildings. There is no developer chosen at this time, so the drawings are concepts and may change. The units will be similar. He visited the community and said that based on size and height they are similar to the existing ones. He showed a rendering of the proposed appearance of the building in the general area of the golf course, with a strong buffer. Trees within the golf course corridor will be kept. Mr. Della Russo does not want the development to impact the golf course. He has spent considerable monies in upgrading the facilities. Mr. Davis said that he will create substantial buffers along the 17<sup>th</sup> green with berms and landscaping. Everyone will still have a golf course view, but it will be changing. He will take every means possible to integrate the project into the community.

Mr. Della Russo said that everyone will still have golf course views, just not the view of the trees. He had upgraded the golf course, which raises housing values. He had asked nothing of the community. He also owns other golf courses which have been upgraded. He wants to do a nice project. Many of the trees in the area are half dead from storm damage. He is trying to recoup some of his investment and make it a nicer place.

Charles Ness is President of the Wekiva Hunt Club Community Association. He stated that there were 2600 homes in the Wekiva. He introduced Richard M. Coln of Taylor and Carls, P.A., to speak on behalf of the homeowners.

Mr. Coln stated that the homeowner association had not been on the list of those to be notified about the meeting tonight and of the request in general. They had not had a lot of time to prepare. The increase in the number of units in the neighborhood and the decrease in open space is a major concern. These should be considered together. The homeowners would like the density to be kept at 5 to 6 units per acre here. To insure the privacy of the neighbors he would request that second floor balconies be decorative and not functional. Mr. Coln said that the community would like to see an architectural style used that is similar in nature to the character of the rest of the community. The association would also like to have the ability to develop community buildings in the remaining open space, having lost the 5 acres of open space. They would also like the townhomes subject to the Wekiva Hunt Club governing documents. In closing, Mr. Coln indicated a dead end road which the association would like permanently closed off at the end, and not used for access or egress.

Ray Herrod stated that he lives west of the project on Coble Drive. He is adjacent to the "T" box. He was concerned by building height, setbacks and buffering of the townhomes, noise. Mr. Herrod stated that 20 to 25 houses would be directly impacted by this project. He asked for denial of the application.

Scott Baker, representing the Herrod family is a certified planner with 15 years experience in planning. He stated that this project is not compatible with the area. He said that it would not be good for the schools. For example, Wekiva Elementary is at 134% of capacity. This plan will change with the selection of a builder. He urged that the project be pulled back and situated in another area nearer the center of the golf course. Why not have a large lot single family development? This is inconsistent with the County Comprehensive Plan. Please recommend denial.

Chris McCarthy of Cambridge Drive was opposed. He is concerned about the impacts to traffic and the schools.

Andy Haus of Cambridge Drive also was concerned about impact on schools.

Teresa Peterson of Coble Drive said that many more people were opposed to this project than were in attendance at the meeting. She was concerned about the impact to the already over capacity schools.

Sally Eadie lives on the 18<sup>th</sup> green. She said the forest there was a viable forest filled with wild life. The schools are so overcrowded, the children are already going to classes in portable classrooms.

Matt Todd of Coble Drive also spoke in opposition.

Jaime Bernardo of Canterclub Trail was concerned about the closing of the cul du sac near his home. He would like the gate removed and the area closed permanently. He said that the western most building will come within 20 feet of his property line. He questioned the buffers that would shield his back yard view from the view of the townhomes. This will change the value of his home.

John Sterner of Havilland Point was concerned about the value of his property going down because of this project.

Geoff McDonald of Havilland Point was opposed for all of the reasons previously mentioned.

John Flora said that the applicant is not entitled to this. This is very bad for the neighborhood. The schools are seriously impacted. He would like to see an audit of the open space for the neighborhood.

Maria DeLose of Havilland Point has lived in Wekiva for 20 years. She objected for all of the reasons previously mentioned, and also mentioned the low water pressure in the area. The golf course was not a dump prior to being bought by the current owner. She asked for denial.

Ralph DeLose stated that the water pressure in the area was a concern, and that the building height was a concern. He does not want to see the road opened up for access or egress.

Larry Sopos of Coble Drive also objected to the project. He objected to the view of the townhomes. He moved to Wekiva for the woods.

Rita Giamel said that she had been told the neighborhood was built out. She was concerned about light pollution and overcrowding at the schools. She works in the area schools and they are too crowded now.

John Felter of Havilland Point and will be facing the parking lot. He was concerned about the lights from the cars shining into his house.

Peter Eadie of Castleford Court was concerned about the rise in insurance rates in the area, and increase in crime. He asked "How will this benefit Wekiva?"

Richard Harris of Canterclub Ct. has lived in his home since 1980. He lives across the 15<sup>th</sup> green from the site. This is one of the oldest PUDs in Seminole County. The last development here was in the late 1980s. We should be looking at the way things are now, rather than as how they were zoned. The value of his home depends in part on the golf course. He said that the gate on Canterclub should be permanently closed. There should be significant landscape buffering



to block lights. The water pressure in the area is low. The development will be on a high point of land for the area. There must be a time when a community becomes stabile. With no development in 15 years, people thought Wekiva was finished.

Brian Davis said that there had been a community meeting the previous Tuesday. He committed to putting in landscaping and a berm at that meeting. The trees off of the 18<sup>th</sup> green will not be impacted. The lighting will not spill out from the project. Concerning compatibility, there are other townhomes in Hunt Club. The units will be similar to existing condos: two stories and front loading garages. They will not use the cul du sacs.

Bob Della Russo said that he had live nearby in Sweetwater for 28 years and that he has improved the area. He has already done a similar project in Deer Run. These will be 2 to 3 bedroom units, priced around \$300,000.

Commissioner Tucker asked about wildlife present.

Tina Williamson said that a natural resources officer had inspected the property and had not seen any endangered species.

Commissioner Tucker asked about dead trees in the area.

Ms. Williamson noted the presence of an abundance of vines over running things in the area. Prior to final engineering, a species list will be made for the property pertaining to wildlife and natural features.

Commissioner Tucker asked about the access to Hunt Club Boulevard. It is a private drive, not up to County standards now.

Ms. Williamson stated that the roads will be dealt with in final engineering processes. No traffic study has been done yet. One will be done.

Commissioner Bates quoted the statistics for the local schools. The three area schools are already substantially over capacity. 11 students from 48 units is a lot. We have to draw the line somewhere. We would be making a bad situation worse.

Commissioner Brown noted that the schools are one percent away from being at the state standard for being considered full. (109% versus 110%)

Commissioner Brodeur asked what the net density was in Hunt Club.

Tina Williamson said that it was from 5.2 to 8.26 at Wekiva Fairway Villas. Some units were not platted.

Commissioner Tucker noted that some areas were developed as single family rather than a higher density as originally planned. This brought down the total number of dwelling units in the overall development. The market did not justify the higher density, and there was a strong pressure to do single family houses. They built 20 homes where there could have been 90.

Commissioner Brown noted that he saw two story homes and townhouses in the Wekiva neighborhoods.

Commissioner Hattaway said that they could put a three story structure there. The golf course passes through all sorts of communities. These condos will be buffered. Time will obscure this. It will not ruin the adjacent houses. The owner has the right to do this if all measures are met. This is generating only a few students to the schools. It could be worse.

Commissioner Eismann was concerned about the water pressure and the off site water retention.

Ms. Williamson said that Utilities Inc. was the water supplier. The area must meet standards for fire flows. There is no standard for water pressure. Off site retention is allowed. The pond will be in common usable open space.

Mr. Davis said that the retention will be a dry pool with grass.

**Commissioner Hattaway made a motion to recommend approval.**

**Commissioner Eismann seconded the motion and amended it to include the placement of landscape berms and buffers to block lights from the parking lots.**

**Commissioner Hattaway accepted the amendment to the motion.**

Commissioner Brown asked about the gate. What if it is required by the fire department?

Commissioner Eismann said that they could close it if it is not needed.

Commissioner Brodeur noted that it is the property owner's right to develop their property.

Commissioner Tucker said that the rights are delineated in the PUD. 25% open space must be met.

Tina Williamson said that there were 1023 acres in Wekiva. There were 265 acres of open space. 255.5 acres of open space were required. There are 2137

units today, and have been since 1986. The maximum allowed number of approved units is 3137.

Commissioner Brodeur said that this would make 3185 units.

Commissioner Tucker said that property rights go both ways. This is infill. It is infringement to the majority of homeowners.

Commissioner Brodeur said that this is responsible development.

Ms. Williamson noted that 3137 units had been approved originally for development.

Commissioner Tucker observed that 3137 is not what was done.

Commissioner Brown said that he would like to see the last unit nearest the houses eliminated.

Commissioner Bates said that he was sure that Mr. Della Russo does good things, but for schools and stability, this is the wrong thing at the wrong time.

**The vote was 4 – 2 in favor of the motion.** Commissioner Bates and Commissioner Tucker voted “no.”

The next meeting will be on September 6<sup>th</sup>.

The meeting adjourned at 9:20 P.M.

Respectfully submitted,

Candace Lindlaw-Hudson